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Implementation of Security Council resolution 2334 (2016)

Report of the Secretary-General

I. Introduction

1. The present report is the sixth quarterly report on the implementation of Security Council resolution 2334 (2016). It provides a review and an assessment of the implementation of the resolution since my previous report on the subject, which was delivered orally on 26 March 2018, and covers developments until 12 June 2018.

II. Settlement activities

2. In its resolution 2334 (2016), the Security Council reaffirmed that the establishment by Israel of settlements in the Palestinian territory occupied since 1967, including East Jerusalem, had no legal validity and constituted a flagrant violation under international law and a major obstacle to the achievement of the two-State solution and a just, lasting and comprehensive peace. The Council reiterated its demands that Israel immediately and completely cease all settlement activities in the occupied Palestinian territory, including East Jerusalem, and that it fully respect all of its legal obligations in this regard. No such steps were taken during the reporting period.

3. During the reporting period, some 3,500 housing units in settlements in Area C of the occupied West Bank were advanced, approved or tendered. One third of those units are in settlements in outlying locations deep in the West Bank. Plans for 2,300 units were advanced in the approval process, plans for 300 units reached the final approval stage, and tenders were announced for about 900 units. During the previous reporting period, 1,500 units were advanced, 160 approved and 900 tenders issued. As in the previous period, no advancements, approvals or tenders were made in occupied East Jerusalem. Among the largest plans advanced for settlements deep in the West Bank are those for 135 units in Tene, 156 in Qiryat Arba', 189 in Talmon and 102 in Negohot. One of the plans approved for construction is for 55 units in the settlement of Peza'el, situated in the Jordan Valley, in a sensitive location where settlement expansion risks severing the north-south connection in the northern West Bank.

4. On 26 March, 20 settler families occupied two houses located a few metres from the Ibrahimi Mosque/Tomb of the Patriarchs in Hebron's H2 area, claiming that they

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had purchased the houses from their Palestinian owners. Ownership is currently being adjudicated by Israeli military authorities.

5. On 13 May, the Government of Israel approved five plans for government investment in Jerusalem, the largest amounting to $550 million and aimed at closing gaps in infrastructure, service delivery and employment opportunities for the Palestinian neighbourhoods of occupied East Jerusalem.

6. The plans also include allocating $115 million for the development of economic, commercial and recreational activities, as well as archaeological sites in and around the Old City. Approximately $55 million was allocated to advance the controversial plan to build a cable car from West Jerusalem to the Old City. Concerns have been raised among Palestinians in East Jerusalem that those planned steps could deepen control by Israel over Jerusalem.

7. Demolitions and seizures of Palestinian-owned structures continued across the occupied West Bank, including East Jerusalem, albeit at the relatively low rate that characterized the past year. Demolitions increased overall across Area C by 94 per cent and decreased in East Jerusalem by 64 per cent, compared with the previous reporting period. Citing the absence of permits, which, as noted in the Middle East Quartet report of 2016, are extremely difficult for Palestinians to obtain in Area C and East Jerusalem, Israeli authorities demolished or seized 84 Palestinian-owned structures. This resulted in the forced displacement of 67 people and potentially affected the livelihoods of 4,500 others.

8. A new order by the Israel Defense Forces stipulates, as of 16 June, the demolition of unlicensed structures that are deemed "new" (i.e. established within 6 months or inhabited for less than 30 days) within 96 hours of the issuance of a removal order. That procedure will significantly impede the ability of Palestinians to challenge demolition orders in Israeli courts.

9. On 24 May, the High Court of Justice of Israel ruled that the demolition of Khan al-Ahmar — Abu al-Helu, home to 181 Palestinians, more than half of whom are children, could proceed. It renders nearly all community structures at risk of immediate demolition, including a school serving 170 students from five communities. Focusing on the legality of the demolition orders according to Israeli law, the High Court rejected the petitions requesting that the implementation of the demolition order by the State be prevented.

10. On 23 April, residents of the Bedouin community of Jabal al-Baba were forced to dismantle a caravan used as a kindergarten, a women's centre and a clinic, following a seizure warning from the Israeli authorities. Jabal al-Baba is one of 18 Bedouin communities, comprising more than 3,500 persons located within or near the E1 settlement plan area, which envisages a continuous built-up area between Ma'ale Adummim and East Jerusalem that threatens the north-south contiguity of a future Palestinian State.

11. On 9 April, the Israeli authorities dismantled a donor-funded school in Khirbat Zanuta, in Hebron Governorate, subsequently seizing replacement structures. Also in Hebron, on 2 May several donor-funded structures in Masafer Yatta were demolished, displacing 35 people. This included six residential structures, electricity-generating equipment, animal pens and water systems. Four solar panels were also confiscated.

12. In the Silwan neighbourhood of East Jerusalem, on 8 April, Palestinian families in three houses were evicted by court order. Although the families obtained an injunction to suspend the eviction orders, they were not allowed to return to their homes.

13. On 12 June, the Israeli authorities evacuated and demolished 15 houses of Israeli citizens living in the illegal outpost of Netiv Ha'avot in the West Bank. The evacuation was carried out following a ruling by the High Court of Justice in September 2016 that the houses were illegally built, either fully or partially, on private Palestinian land.

III. Violence against civilians, including acts of terror

14. In its resolution 2334 (2016), the Security Council called for immediate steps to prevent all acts of violence against civilians, including acts of terror, as well as all acts of provocation and destruction, and called for accountability in this regard. However, the reporting period was characterized by high levels of violence and rocket attacks from Gaza.

15. During the reporting period, 135 Palestinians, including 16 children, were shot and killed by the Israel Defense Forces in Gaza, 118 of them during the "Great Return March" protests, 68 on 14 May alone, the peak of the protests. Hamas and Islamic Jihad have publicly acknowledged that a number of their members were among those killed in the protests and other incidents. Based on local estimates, during the protests, 3,778 Palestinians were wounded by live ammunition, resulting in scores of life-altering injuries. Two Israeli soldiers were injured during the protests.

16. Since the beginning of the protests, 54 health workers were injured and 45 ambulances affected. On 1 June, Razan al-Najjar, a 21-year-old Palestinian woman volunteering as a first responder, was shot and killed. She was one of two medical workers killed during the protests. According to eyewitness reports, Al-Najjar was dressed in clothing clearly distinguishing her as a health-care worker and was attempting to reach injured protesters when she was shot. The Israel Defense Forces opened an internal investigation and, on 5 June, released initial findings indicating that "no shots were deliberately or directly" aimed at Al-Najjar.

17. Public statements and messages by Hamas leaders indicated the intention to use mass protests to infiltrate Israel and seek martyrdom. Among the thousands of peaceful demonstrators, hundreds approached and attempted to breach the fence, burned tyres, threw rocks and firebombs at Israeli forces, launched incendiary kites and laid improvised explosive devices, at least two of which exploded at or near the perimeter fence. According to the Israeli authorities, incendiary kites have caused large fires that burned thousands of acres of agricultural fields and nature reserves, resulting in damage estimated at more than $2 million. On three occasions, Palestinian protesters attacked the Kerem Shalom crossing and severely damaged infrastructure on the Palestinian side (see sect. V).

18. After discovering an improvised explosive device adjacent to the fence on 27 May and reportedly coming under fire while arresting two Palestinians who crossed into Israel on 28 May, the Israel Defense Forces killed three Palestinian Islamic Jihad militants and a Hamas militant. During the night of 28 May, machine gun fire from Gaza hit the Israeli city of Sderot, causing damage to several buildings and a vehicle.

19. On 29 May, reportedly in response to the deaths in Gaza, nearly 200 rockets and mortar rounds were fired from the Gaza Strip towards Israel, the largest wave of projectiles fired from Gaza since the conclusion of the previous round of fighting in Gaza in 2014. The majority of the projectiles were intercepted by Iron Dome, while one mortar reportedly landed in the grounds of a kindergarten in a kibbutz in the Eshkol Regional Council, causing no injuries. Three Israeli soldiers and two civilians were reportedly injured in other incidents in Israeli communities bordering Gaza. In

response, the Israel Defense Forces retaliated by striking 65 targets throughout the Gaza Strip that it attributed to Palestinian Islamic Jihad and Hamas. No casualties were reported from those retaliatory strikes.

20. Hamas and the Islamic Jihad claimed joint responsibility for the rockets and mortars fired at Israel. The escalation ended on 30 May, although on 2 June militants in Gaza fired at least four additional projectiles towards Israel. In response, the Israel Defense Forces said that they had retaliated by firing on 15 militant sites throughout the Gaza Strip. No casualties were reported.

21. Overall, since 26 March more than 250 rockets and mortar shells were fired from Gaza towards Israel, a tenfold increase compared with the previous reporting period. The Israeli Air Force targeted facilities that it attributed to Hamas and Palestinian Islamic Jihad on 120 occasions, causing extensive damage, killing two Palestinian militants and injuring another militant and one civilian. On 27 May, the Israel Defense Forces indicated that they had located an unmanned aerial vehicle armed with explosives, sent from Gaza towards the Sha'ar Hanegev Regional Council.

22. During the reporting period, Israel announced the destruction of three tunnels from Gaza, including a 2 km tunnel leading from Gaza and entering Israel and Egypt.

23. In the occupied West Bank, including East Jerusalem, regular clashes between Palestinians and the Israel Defense Forces continued throughout the reporting period. On 23 May 2018, a Palestinian teenager died of gunshot wounds sustained from Israeli security forces during protests. On 26 May, an Israeli soldier died after being critically wounded on 24 May by a Palestinian during an arrest operation in the Am'ari refugee camp in Ramallah. On 6 June, a Palestinian youth was shot dead by the Israel Defense Forces during protest-related clashes in the village of Nabi Salih, north-west of Ramallah.

24. Since 10 June, thousands of Palestinians have demonstrated in Ramallah in solidarity with Gaza against the restrictive measures imposed by the Government of the State of Palestine on the Strip. Demonstrators also demanded an end to the political division and the closures in Gaza.

25. On 11 June, an 18-year-old Israeli woman was seriously injured in a stabbing attack in the city of Afula, in northern Israel. The Israeli authorities arrested a Palestinian from Janin on suspicion of carrying out the attack.

26. During the reporting period, 48 incidents of Israeli settler-related violence were documented and resulted in 14 Palestinian injured casualties and damage to property. There were 29 Palestinian attacks against Israeli civilians in the West Bank, also resulting in casualties or damage. Both represent a decline compared with the previous period, during which there were 61 and 45 attacks, respectively.

27. The highest number of incidents of violence perpetrated by settlers occurred in the Yitzhar settlement and its adjacent outposts and affected at least 20,000 Palestinians in five communities in the Nablus Governorate. The Israel Defense Forces have reportedly deployed additional forces in the area to prevent further incidents.

28. On 19 April, an Israeli civilian was lightly wounded in occupied East Jerusalem by a molotov cocktail, while on 22 May a vehicle driven by an Israeli was hit by gun shots near the Talmon settlement, causing no injuries. Two Palestinians were reportedly arrested in connection with the attack.

29. On 28 March, findings were published of the Israeli military police investigation into the killing of a Palestinian 29-year-old double amputee, Ibrahim Abu Thurayah, during demonstrations close to the Gaza fence on 15 December 2017. The investigation concluded that he had not been killed by Israeli sniper fire.

30. On 25 April, the Jerusalem District Court sentenced an Israeli border police officer, Ben Deri, to nine months' imprisonment after he pleaded guilty for causing death by negligence. According to the Court, Deri shot and killed a 17-year-old Palestinian, Nadeem Nuwara, on 15 May 2014, during the Nakbah demonstrations in Ramallah.

31. On 8 May, an Israeli soldier, Sergeant Elor Azaria, was released after serving two thirds of his sentence (9 months in prison). He had been convicted in February 2017 of manslaughter for shooting and killing an incapacitated Palestinian after the latter had reportedly stabbed an Israeli soldier in Hebron in March 2016. Sergeant Azaria's initial sentence of 18 months had been reduced to 14 months in September 2017.

32. On 29 March, for the first time, an Israeli court convicted an Israeli national of membership in a terrorist organization for participating in a "price tag" attack against Palestinians. In the first four months of 2018, 23 Israelis suspected of involvement in "price tag" attacks, many of them minors, were reportedly indicted and 13 were issued administrative orders, limiting their access to the West Bank.

33. On 1 May, indictments were filed with the Jerusalem District Court against three Palestinians from East Jerusalem for allegedly conspiring to carry out shooting attacks in the West Bank under the guidance and sponsorship of Hamas. On 27 May, additional indictments were filed by the Israeli prosecution authorities against suspected members of a cell for allegedly planning attacks against high-level targets, including the Prime Minister of Israel, Benjamin Netanyahu, and diplomatic missions in Jerusalem.

IV. Incitement, provocation and inflammatory rhetoric

34. In its resolution 2334 (2016), the Security Council called upon both parties to act on the basis of international law, including international humanitarian law, and their previous agreements and obligations, to observe calm and restraint and to refrain from provocative actions, incitement and inflammatory rhetoric and called for compliance with obligations under international law for the strengthening of ongoing efforts to combat terrorism and to clearly condemn all acts of terrorism. Provocation, incitement and inflammatory rhetoric continued during the reporting period.

35. On 30 April, during his opening speech at the Palestinian National Council, the President of the State of Palestine, Mahmoud Abbas, made statements that included the unacceptable suggestion that the social behaviour of Jews was the cause of the Holocaust and said that Israel was "an imperialist project". Those statements were widely condemned by the international community, and Mr. Abbas subsequently apologized, emphasizing that the Holocaust was "the most heinous crime in history". A senior Palestinian religious leader and adviser to the President also made statements calling any Jewish connection to Jerusalem an "imperialist myth".

36. At the height of the Gaza protests, a senior Hamas official called upon protesters to "take down the border and tear out their [i.e. Israelis'] hearts", one of several public calls by Hamas leaders inciting protesters to violence, including on social media. As in previous reporting periods, Fatah's official social media pages continued to glorify the perpetrators of past terrorist attacks. According to media reports, during one of the protests, another Hamas official delivered a speech calling upon protesters to welcome "martyrdom" before thousands of them streamed towards the perimeter fence.

37. Israeli officials also made provocative and inflammatory statements. In a radio interview, a senior Israeli minister asserted that, in Gaza, "everyone is affiliated with

Hamas", justifying the use of live fire against demonstrators. Separately, an Israeli Member of the Knesset tweeted that a Palestinian teenager, Ahed Tamimi, currently sentenced for slapping Israeli soldiers, should have "gotten a bullet, at least in the kneecap". Senior Israeli politicians also continued to call for the annexation of the settlements, denying that the Palestinian territories were occupied, and for open rejection of the Palestinian right to statehood.

V. Affirmative steps to reverse negative trends

38. Resolution 2334 (2016) reiterated the calls by the Middle East Quartet for affirmative steps to be taken immediately to reverse the negative trends on the ground that are imperilling the two-State solution. The period witnessed both positive and negative actions by the parties in this regard.

39. Significant progress was made towards finalizing a power purchase agreement, which would enable the Palestinian Authority to exercise operational and commercial responsibility over electricity connection points in the West Bank. Outstanding issues to be resolved include bank guarantees and Israeli access to clearance revenues in the event of a default on payments.

40. On 7 June, Israel reinstated the 24-hour operations of the King Hussein (Allenby) Bridge crossing between Jordan and the West Bank during weekdays. That arrangement will be in place until 13 September.

41. Progress continued on the reconstruction in Gaza of houses completely destroyed during the conflict in 2014, with work on more than 400 houses completed during the reporting period. Nearly 13,500 of the 17,800 houses completely destroyed have been rebuilt. The temporary Gaza Reconstruction Mechanism continues to play an important role in the reconstruction, as well as in new construction work in Gaza. However, despite a significant improvement since the beginning of the year in Israeli approvals for materials to enter Gaza, there has not been a significant increase in imports, and the number of new submissions under the Mechanism has also declined. This is due largely to the drop in purchasing power and international assistance for reconstruction.

42. The Rafah crossing with Egypt was open for six days, from 12 to 17 May, for the crossing of humanitarian cases and pre-registered Palestinians in Gaza, including students and those with dual nationalities and residences. On 17 May, Egypt announced that the opening would be extended throughout the holy month of Ramadan and that entry would also be possible for people injured during the Great Return March. This was the longest uninterrupted opening of the Rafah crossing since October 2014. Since 26 March, more than 14,000 Palestinians have crossed into Egypt, while more than 3,300 have crossed into Gaza. The adjacent Hamas-controlled Salah al-Din Gate was open for 26 days during the reporting period, with more than 1,100 trucks entering Gaza, loaded mainly with food commodities, construction materials and fuel.

43. On 30 April, the Palestinian National Council convened in Ramallah for the first time in 22 years, re-electing Mr. Abbas as Chair. The Popular Front for the Liberation of Palestine and Hamas boycotted the meeting. The final statement of the Palestinian National Council reiterated the commitment to a peaceful solution based on long-standing parameters and United Nations resolutions. The same statement stressed the need to implement the decision of the Central Council, made at its past two sessions, to stop all forms of security coordination and to be free from the economic dependency ties established by the Paris Protocol on Economic Relations, including the economic boycott of occupation products, in support of the independence of the

national economy and its growth. It also mandated the Executive Committee to suspend the recognition of Israel until Israel recognizes the State of Palestine on the basis of the borders of 4 June 1967 and repeals the decision to annex East Jerusalem and stop the settlements. It also endorsed a set of political moves to join various international treaties and to seek international protection for the Palestinian people.

44. The process of returning the Gaza Strip to Palestinian government control came to a halt after the convoy of the Prime Minister, Rami Hamdallah, was targeted in Gaza by a roadside bomb on 13 March, as no senior Palestinian government official has since travelled to Gaza. Egypt continued its efforts to revive the process, holding talks with senior Hamas and Fatah officials.

45. The Government of the State of Palestine has maintained its restrictive measures against Gaza since April 2017, including cuts of up to 50 per cent in the salaries of tens of thousands of public sector employees in Gaza. Most recently, the Government failed to pay these reduced salaries for the month of March and applied salary cuts of approximately 50 per cent when it paid April salaries on 3 May and May salaries on 4 June.

46. The health sector of Gaza has struggled to deal with the mass influx of casualties and injuries related to the recent protests, with essential health services already on the edge of collapse after 10 years of Israeli closures, Hamas control and Palestinian Authority measures to reduce electricity payments for Gaza. Medical supplies are significantly depleted, and access to health care for non-trauma patients is being compromised. Foreign medical teams have been urgently requested to provide specialized vascular, orthopaedic and reconstructive care. Some 49 per cent of essential medicines, including 74 per cent of cancer drugs, and 29 per cent of medical disposables are at zero stock level as a result of funding shortages.

47. Power cuts in Gaza continued to reach up to 22 hours per day, severely undermining the provision of essential services. At current consumption rates, donor funds are available for the United Nations to distribute emergency fuel to power critical water, sanitation and health facilities only until early August. On 12 April, the Gaza power plant ceased production, owing reportedly to a lack of funds to purchase fuel, with a brief resumption from 30 May to 5 June. Following the closure of the power plant, the only reliable source of electricity in Gaza came from Israel, as the supply from Egypt continued to be inoperable. Such limited supply meets less than one quarter of the demand and has resulted in an average of four hours of electricity per day. Water is piped to households for a few hours only every four to five days.

48. On 4, 11 and 14 May, Palestinian protesters burned and looted equipment and installations on the Palestinian side of the Kerem Shalom crossing. Nevertheless, coordination between Israel and the Palestinian Authority enabled a speedy resumption of essential imports, including medical supplies, fuel and other food and non-food items, as well as agricultural exports. Despite substantial damage caused on 11 May, the volume of truck traffic through the crossing had reached almost normal levels within five days. However, the specialized transfer equipment, including pumps and conveyor belts, was rendered unusable. The United Nations continues to work with the parties to ensure urgent, safe and reliable solutions for all critical supplies, particularly cooking gas and fuel for the private sector.

49. The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) is facing an unprecedented $250 million shortfall. The Agency and its stakeholders are making every effort to ensure that 526,000 Palestine refugee students will be able to attend the following school year without interruption. On 15 March, the Ministers for Foreign Affairs of Egypt, Jordan and Sweden co-chaired an extraordinary ministerial conference, attended by some 90 Member States, to provide sufficient, predictable and sustained funding to UNRWA by building new

funding alliances, reaffirming support for the UNRWA mandate and overcoming the Agency's unprecedented shortfall of $446 million. Some $100 million was pledged at the conference. In April, over $100 million was pledged by other partners, notably the Gulf States. Despite these crucial contributions, the shortfall remains at $250 million.

VI. Efforts by the parties and the international community to advance the peace process and other relevant developments

50. In its resolution 2334 (2016), the Security Council called upon all States to distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967. During the reporting period, there were no developments related to States' doing so.

51. In the same resolution, the Council called upon all parties to continue to exert collective efforts to launch credible negotiations, including through the acceleration of international and regional diplomatic efforts and support aimed at achieving, without delay, a comprehensive, just and lasting peace in the Middle East. No progress was achieved during the reporting period.

52. On 15 May, the State of Palestine submitted a request for membership in the United Nations Conference on Trade and Development. On 17 May, it deposited instruments of accession to the Constitution of the United Nations Industrial Development Organization, which entered into force for the State on the same day, and to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, which was to enter into force for the State on 16 June. On 6 June, Palestine deposited instruments of accession to seven international conventions and treaties, including the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.

53. Following its recognition on 6 December 2017 of Jerusalem as the capital of Israel, the United States of America opened its embassy to Israel in Jerusalem on 14 May. That move, which was followed on 16 and 21 May by similar actions by Guatemala and Paraguay, respectively, was objected to by several other States.

54. On 17 May, the Council of the League of Arab States held an extraordinary ministerial meeting in Cairo on confronting the United States decision to move its embassy to the occupied city of Jerusalem, the development of the situation and condemnation of the crimes committed by the Israeli occupation in Palestine. Its member States adopted a resolution in which, inter alia, they condemned and rejected the recognition of Jerusalem by the United States as the capital of Israel and the relocation of its embassy.

55. At its seventh Extraordinary Islamic Summit Conference, held on 18 May, the Organization of Islamic Cooperation (OIC) called for the provision of international protection for the Palestinian people, including through the dispatch of an international protection force, as well as for the establishment by the OIC General Secretariat of an international independent mechanism for alleged crimes committed by the Israel Defense Forces against the Palestinian people. The OIC Summit also underscored its rejection of the United States proclamation of Jerusalem as the capital of Israel and the relocation of the Embassy of the United States.

56. A number of other States expressed their condemnation of the deaths in Gaza.

57. On 1 June, the Security Council voted on but did not adopt two draft resolutions related to the high number of casualties during the protests on 14 May and to the

rockets and mortar rounds launched from Gaza towards Israel on 29 and 30 May. On 13 June, the resolution that had been proposed to the Council by Kuwait, on the protection of the Palestinian civilian population, was presented to the General Assembly for a vote and adopted.

58. On 15 May, during the meeting of the Security Council on the situation in Gaza, several Member States requested the Secretariat to bring forward proposals to address the situation in Gaza, in line with the commitment to advancing urgent infrastructure and economic development projects, improving access and movement in Gaza and supporting the Egyptian-led reconciliation process. In this regard, my Special Coordinator for the Middle East Peace Process outlined, in his briefing to the Council on 23 May, a proposal prioritizing projects identified and agreed over the past two years by the Ad Hoc Liaison Committee for the Coordination of the International Assistance to Palestinians, focusing primarily on improving water, energy and health infrastructure, as well as income-generating activities; enhancing United Nations project management capacity in Gaza to accelerate the implementation of the prioritized projects; and strengthening coordination with the Governments of Egypt, Israel and the State of Palestine. In the weeks since, he has continued to engage with all sides to advance those proposals.

59. On 18 May, the Human Rights Council adopted resolution S-28/1, in which it decided to urgently dispatch an independent, international commission of inquiry, to be appointed by the President of the Human Rights Council, to investigate all alleged violations and abuses of international humanitarian law and international human rights law in the Occupied Palestinian Territory, including East Jerusalem, particularly in the occupied Gaza Strip, in the context of the military assaults on the large-scale civilian protests that began on 30 March.

60. On 22 May, pursuant to articles 13 (a) and 14 of the Rome Statute of the International Criminal Court, the State of Palestine requested the Prosecutor to investigate, in accordance with the temporal jurisdiction of the Court, past, ongoing and future crimes within the Court's jurisdiction, committed in all parts of the territory of the State of Palestine. Following the referral, also on 22 May, the Prosecutor issued a statement in which she noted that, since 16 January 2015, the situation in Palestine had been subject to a preliminary examination in order to ascertain whether the criteria for opening an investigation had been met. That preliminary examination has seen important progress and will continue to follow its normal course, strictly guided by the requirements of the Rome Statute.

VII. Observations

61. The settlement activities of Israel continue unabated and undermine the hopes and the practical prospects for establishing a viable Palestinian State. The decision on 30 May by Israel to advance, approve and tender some 3,500 housing units in the occupied West Bank, the largest single batch of advancements since June 2017, creates yet more obstacles to advancing a negotiated two-State solution. I reiterate that all settlement activity in the Occupied Palestinian Territory, including East Jerusalem, constitutes a flagrant violation under international law, as stated in resolution 2334 (2016), and must cease immediately and completely.

62. The ruling of 24 May of the High Court of Justice to enable the demolition of almost all structures in Khan al-Ahmar — Abu al-Helu puts the community at imminent risk. I am also concerned that the decision represents a significant precedent and threat for other Bedouin herder communities across Area C of the occupied West Bank. I call upon the Government of Israel to cancel its plans to carry out the mass demolition and the transfer of the residents of Khan al-Ahmar — Abu al-Helu, and

remind all parties that such actions within an occupied territory may constitute a grave breach of international humanitarian law.

63. In Gaza, the reporting period witnessed the immense suffering of the people and the most serious escalation since the conflict between Hamas and Israel in 2014. It is and should be a warning to all as to how close to the brink of war the situation is. Only by changing the reality on the ground — by recognizing and addressing the plight of Palestinians in Gaza, by ensuring that all sides recommit to the 2014 ceasefire understandings and by supporting Egyptian-led efforts to restore control by the legitimate Government of the State of Palestine in Gaza — can the possibility of a viable, independent and fully representative Palestinian State be preserved and another disastrous, lethal conflict averted. I unequivocally condemn the steps by all parties that have led to this dangerous and fragile place.

64. I am shocked by the number of deaths and injuries of Palestinians resulting from the use of live fire by the Israel Defense Forces since protests began along the Gaza perimeter fence on 30 March. Israel has a responsibility to exercise maximum restraint in the use of live fire and to not use lethal force, except as a last resort against imminent threat of death or serious injury. It must protect its citizens, but it must do so with due respect of international humanitarian law. The killing of children, as well as of clearly identified journalists and medical staff, by security forces during a demonstration is particularly unacceptable. Journalists and medical staff must be allowed to perform their duties without fear of death or injury. Attacks on medical teams in Gaza not only risk the life and health of staff and patients but also undermine the overall capacity of the health system of Gaza. Noting that the Israel Defense Forces have established a team to examine recent events, I reiterate my calls for an independent and transparent investigation into these incidents.

65. The actions of Hamas and other militant groups put at risk not only the lives of Israelis and Palestinians but also the efforts to restore dignity and the prospects of a liveable future for Palestinians in Gaza. In the context of the Great March of Return, some have attempted to breach or place explosives at or near the fence, exploiting and undermining the legitimate right of individuals to protest non-violently. Rockets launched towards Israel on 29 and 30 May have brought us closer to all-out conflict than we have seen since 2014. All these actions are unacceptable and, in the case of the indiscriminate firing of rockets at civilian populations, may constitute a violation of international humanitarian law. Hamas and others must prevent the launch of rockets and breach of the fence, as escalation only costs more precious lives.

66. The incitement by the Hamas leadership of protesters in Gaza inflamed and encouraged a highly volatile situation that contributed to violent actions at the fence and risked serious escalation. On several occasions, Hamas leaders directly called upon protesters to breach the fence and seek martyrdom. Statements from senior Israeli government officials falsely asserting that all Palestinians there were affiliated with Hamas, and thus legitimate targets, signalled a permissive Israeli policy towards the use of live fire against protesters and contributed to the tragedy that the international community has witnessed over the past 11 weeks.

67. Provocative rhetoric by Palestinian and Israeli officials during the reporting period also continue to undermine trust between the parties and do not serve the interests of peace in the Middle East. Leaders have a responsibility to reduce, not augment, tensions, to build bridges, not create obstacles, and to confront conspiracy theories, not perpetuate them.

68. I note the decision by the Government of Israel to increase investment in occupied East Jerusalem. While gaps in infrastructure and service delivery in Palestinian neighbourhoods have long been a concern, some elements, as well as the accompanying political rhetoric, raise concerns, particularly among Palestinians in

East Jerusalem, that the planned steps could undermine their political, cultural and economic connections with the rest of the West Bank, threaten their properties and deepen control by Israel over Jerusalem. I reiterate that unilateral steps by any party seeking to alter the character or prejudge the final status of Jerusalem, which must be determined by the parties through negotiations on the basis of relevant United Nations resolutions, taking into account the legitimate concerns of both the Palestinian and the Israeli sides, are inconsistent with United Nations resolutions and are an obstacle to peace.

69. The convening of the Palestinian National Council for the first time in 22 years was a welcome development. However, I express concern at some aspects of its final statement, particularly the provision to stop all forms of security coordination and to be free from the economic dependency ties established by the Paris Protocol, including the economic boycott of occupation products, in support of the independence of the national economy and its growth, and to suspend the recognition of Israel until it recognizes the State of Palestine on the basis of the borders of 4 June 1967 and repeals the decision to annex East Jerusalem and stop the settlements. If taken, such steps could reverse progress attained through years of negotiations and efforts spent building Palestinian national institutions, while making a return to meaningful negotiations even more difficult.

70. I am deeply concerned by the economic collapse in Gaza. In addition to the impact of the restrictive closure regime, the non-payment of salaries by the Government of the State of Palestine to Palestinian employees in Gaza further compounds the situation, already marked by a severe liquidity crisis and an acute shortage of cash. This and other dangerous measures must be rolled back and no new ones imposed. Efforts to preserve the links and unite Gaza with the West Bank must continue, starting with the return of Gaza to the full control of the legitimate Government of the State of Palestine. The success of any initiative in Gaza is linked to a credible political horizon that unites all Palestinians.

71. I have continuously warned of the risks of the deteriorating humanitarian situation in Gaza. Today, the desperate situation is compounded by the potential suspension of key United Nations programmes, a lifeline for Palestinians in Gaza. The precarious financial situation of UNRWA is of particular concern, not only for approximately 1 million Palestine refugees in Gaza who receive food and other humanitarian assistance, but also for recipients of UNRWA services throughout the West Bank, Jordan, Lebanon and the Syrian Arab Republic. The substantial shortfall of $250 million, if not urgently met, runs the serious risk of disrupting the Agency's services. The additional instability caused by such a development in a region already wracked by conflict can, and must, be prevented, if all act now to address the gap. I call upon all Member States to further support UNRWA, including on the occasion of the pledging conference to be held in New York on 25 June.

72. I welcome the cooperation between the Israeli and Palestinian authorities to ensure that the Kerem Shalom crossing, critical to humanitarian delivery, continues to function with minimal interruptions despite three rounds of damage caused by Palestinian protesters. Looking ahead, and taking into consideration its legitimate security concerns, I urge Israel to ease the movement of goods and people to and from Gaza. Only by a full lifting of the debilitating closures, in line with Security Council resolution 1860 (2009), can we hope to sustainably resolve the humanitarian crisis and begin the important task of development. I also welcome the decision by Egypt to open the Rafah border crossing during the holy month of Ramadan, and hope for more regular movement through the crossing.

73. I remain greatly concerned by the state of our collective efforts to advance peace, and I urge key regional and international partners to re-engage and remain

steadfast in pursuit of a two-State solution. I reaffirm my commitment to the Middle East Quartet, which remains the pre-eminent forum in which to discuss perspectives for resolving the conflict.

74. Given the interconnected nature of conflicts throughout the region and the iconic nature of the Palestinian-Israeli conflict that can feed extremist narratives, creating the conditions for the parties to return to meaningful bilateral negotiations remains critical.

75. I welcome discussions in the Security Council of ideas to confront the untenable situation in Gaza by advancing infrastructure and development projects, improving access and movement and supporting the vital Egyptian-led reconciliation process. My Special Coordinator will continue to engage constructively with the Government of the State of Palestine and with Egypt, Israel and key international partners to move forward with a quick implementation of a set of relatively modest, achievable interventions that will have an immediate impact on the lives of Palestinians in Gaza and support longer-term development initiatives. Ultimately, these efforts are meant to strengthen, not replace, overarching political objectives. Economic development, critical as it is, is no substitute for sovereignty and statehood.

76. I strongly condemn, as I have consistently done, unilateral measures, which jeopardize the prospect of peace for Israelis and Palestinians. In its resolution 2334 (2016), the Security Council explicitly underlined that it would not recognize any changes to the 4 June 1967 lines, including with regard to Jerusalem, other than those agreed by the parties through negotiations.

77. Gaza cannot be ignored or dealt with out of context; it is an integral part of the Palestinian story. The plight of Palestinians in Gaza brings into sharp relief the fact that the current trajectory, not only in Gaza but also throughout the occupied Palestinian territory and in Israel, is not sustainable. The multifaceted crisis in Gaza can ultimately be resolved only if the wider Israeli-Palestinian conflict is addressed, by ending the occupation; resolving all final status issues, including the status of Jerusalem, the Palestine refugees, borders and security arrangements; and establishing a viable, independent Palestinian State that will achieve the inalienable rights of the Palestinian people, in line with relevant United Nations resolutions, prior agreements and international law. I reiterate that there is no viable alternative to the two-State solution, with Israel and Palestine living side by side in peace and security with Jerusalem as the capital of both States.